



General Assembly

**Substitute Bill No. 646**

January Session, 2009

\* SB00646JUD\_\_033009\_\_ \*

**AN ACT EXCLUDING VIOLENT OFFENSE VICTIMS FROM JURY SERVICE IN CERTAIN CRIMINAL CASES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-232 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) The Jury Administrator shall send to each juror drawn, by first  
4 class mail, a notice stating the place where and the time when he is to  
5 appear and such notice shall constitute a sufficient summons unless a  
6 judge of said court directs that jurors be summoned in some other  
7 manner.

8 (b) Such summons or notice shall also state the fact that a juror has a  
9 right to one postponement of the juror's term of juror service for not  
10 more than ten months and may contain any other information and  
11 instructions deemed appropriate by the Jury Administrator. If the date  
12 to which the juror has postponed jury service is improper, unavailable  
13 or inconvenient for the court, the Jury Administrator shall assign a  
14 date of service which, if possible, is reasonably close to the  
15 postponement date selected by the juror. Such notice or summons shall  
16 be made available to any party or the attorney for such party in an  
17 action to be tried to a jury. The Jury Administrator may grant  
18 additional postponements within or beyond said ten months but not  
19 beyond one year from the original summons date.

20 (c) (1) The Jury Administrator shall send to a prospective juror a  
21 juror confirmation form and a confidential juror questionnaire. [Such]  
22 The questionnaire shall include questions eliciting the prospective  
23 juror's name, age, race and ethnicity, occupation, education and  
24 information usually raised in voir dire examination. The questionnaire  
25 shall inform the prospective juror that information concerning race and  
26 ethnicity is required solely to enforce nondiscrimination in jury  
27 selection, that the furnishing of such information is not a prerequisite  
28 to being qualified for jury service and that such information need not  
29 be furnished if the prospective juror finds it objectionable to do so.

30 (2) The questionnaire shall also include a question eliciting whether  
31 the prospective juror wishes to identify himself or herself as a victim of  
32 a violent offense, and whether, due to the juror's status as a victim of a  
33 violent offense, the juror requests to be excused from service on any  
34 criminal case where the defendant is accused of a violent offense. The  
35 questionnaire shall also inform the prospective juror that information  
36 concerning the prospective juror's status as a victim of a violent offense  
37 is sought solely to allow such prospective juror to be excused from jury  
38 service on any criminal case where the defendant is accused of a  
39 violent offense, that the furnishing of such information is not a  
40 prerequisite to being qualified for jury service and that such  
41 information need not be furnished if the prospective juror finds it  
42 objectionable to do so.

43 (3) Such juror confirmation form and confidential juror  
44 questionnaire shall be signed by the prospective juror under penalty of  
45 false statement.

46 (4) The Jury Administrator shall verify the information in any  
47 questionnaire submitted by a juror who identifies himself or herself as  
48 a victim of a violent offense and requests to be excused from jury  
49 service pursuant to subdivision (2) of this subsection. Upon verifying  
50 such information, the Jury Administrator shall ensure that the  
51 prospective juror is excused from jury service in a criminal case where  
52 the defendant is accused of a violent offense and shall notify the

53 prospective juror in a manner that ensures that the prospective juror is  
 54 not required to appear for voir dire in any such criminal case.

55 (5) Copies of [the completed questionnaires] each completed  
 56 questionnaire, except a completed questionnaire of a juror excused  
 57 from jury service pursuant to subdivision (4) of this subsection, shall  
 58 be provided to the judge and counsel for use during voir dire or in  
 59 preparation therefor. Counsel shall be required to return such copies to  
 60 the clerk of the court upon completion of the voir dire. Except for  
 61 disclosure made during voir dire or unless the court orders otherwise,  
 62 information inserted by jurors shall be held in confidence by the court,  
 63 the parties, counsel and their authorized agents. [Such completed] Any  
 64 questionnaires completed pursuant to this subsection shall not  
 65 constitute a public record.

66 (6) For the purposes of this subsection, "violent offense" means an  
 67 offense that involves the use, attempted use or threatened use of  
 68 physical force against another person.

69 (d) The number of jurors in a panel may be reduced when, in the  
 70 opinion of the court, such number of jurors is in excess of reasonable  
 71 requirements. Such reduction by the clerk shall be accomplished by lot  
 72 to the extent authorized by the court and the jurors released shall be  
 73 subject to recall for jury duty only if and when required.

74 (e) In each judicial district, the Chief Court Administrator shall  
 75 designate one or more courthouses to be the courthouse to which  
 76 jurors shall originally be summoned. The court may assign any jurors  
 77 of a jury pool to attend any courtroom within the judicial district.

|   |                 |        |
|---|-----------------|--------|
| This act shall take effect as follows and shall amend the following sections: |                 |        |
| Section 1   | October 1, 2009 | 51-232 |

**JUD**      *Joint Favorable Subst.*